

## **SENTENCE DATA SHEET**

**DEFENDANT:** Jason Oil & Gas Equipment, LLC

**CRIMINAL NO:** 4:20-cr-527

**GUILTY PLEA:** Count Three (Title 18, United States Code, Sections 1832(a)(3) and (4) (Attempted Receiving and Buying of Trade Secrets))

### **SUBSTANCE OF PLEA**

**AGREEMENT:** Pursuant to Rule 11(c)(1)(C) - Defendant agrees to enter a guilty plea to Count Three (Title 18, United States Code, Section 1832(a)(3) and (4) (Attempted Receiving and Buying of Trade Secrets) of the Indictment; and waives its right to appeal and collateral attack, except for a claim of ineffective assistance of counsel. The Defendant further agrees (a) that this agreement will be executed by an authorized representative and that the agreement will be authorized by a Resolution duly adopted by the Board of Directors of Jason Oil & Gas Equipment, LLC; (b) that the Defendant will pay the United States a fine in the amount of \$4,100,000, \$1,000,000 of which relates to Jason Energy Technologies Co., LTD, within 30 days following arraignment pursuant to payment instructions provided by the United States; (c) that the Defendant will serve a term of probation of 4 years during which Defendant will not sell or market coiled tubing (both conventional and advanced coiled tubing) to the United States; and (d) to the extent that Defendant resumes business operations, the Defendant will institute a compliance program designed to provide reasonable assurances that no further violations of United States trade secret law will occur. The United States agrees that the Defendant's obligations to implement such a program will be satisfied by the Defendant's adherence to the compliance program instituted by its affiliate company, Jason Energy Technologies Co., LTD, as described in the Deferred Prosecution Agreement.

In exchange, the United States agrees that if the Defendant pleads guilty to Count Three of the Indictment and persists in that plea through sentencing, and if the Court accepts this plea agreement, the United States will move to dismiss any remaining counts of the Indictment at the time of sentencing.

**COUNT ONE:** Attempted Receiving and Buying of Trade Secrets

**ELEMENTS:** Count Three (Title 18, United States Code, Sections 1832(a)(3) and (4) (Attempted Receiving and Buying of Trade Secrets))

- A. That the defendant, without the authorization of the owner, did attempt to knowingly receive, buy, and possess information;
- B. That the defendant believed that the information was a trade secret that had been, without authorization, taken, appropriated, obtained, or converted;
- C. That the defendant intended to convert the trade secret to the economic benefit of someone other than the owner;
- D. That the defendant knew or intended that the owner of the trade secret would be injured; and
- E. That the trade secret was related to a product or service used in or intended for use in interstate or foreign commerce.

**ELEMENTS:** (Attempt)

- A. That the defendant intended to commit theft of trade secrets; and
- B. That the defendant did an act that constitutes a substantial step towards the commission of the crime and that strongly corroborates the defendant's criminal intent and amounts to more than mere preparation.

**PENALTIES:** Count Three – Probation for not more than 5 years; and/or a fine not more than the greater of \$5,000,000 or three times the value of the stolen trade secret

**SENTENCING  
GUIDELINES:** Advisory

**SUPERVISED  
RELEASE:** N/A

**SPECIAL  
ASSESSMENT:** \$400 per count of conviction

**ATTACHMENT:** Plea Agreement